IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 30TH MAY 2007 / 9TH JYAISHTA 1929

WP(C).No. 892 of 2007(F)

OP.20/2006 of MUNSIFF COURT, TIRUR

PETITIONER:

K. ABDUL AZEEZ, S/O. MOIDUTTY,
PANCHAYATH MEMBER, WARD NO.8,
KUTTIPPURAM GRAMA PANCHAYATH, MALAPPURAM DT.

BY ADV. SRI.K.M.SATHYANATHA MENON

RESPONDENTS:

1. BEERAN MASTER, S/O. MOIDEENKUTTY,
KALIYARVATTATHU, PYNKANNOOR POST, KUTTIPURAM,
MALAPPURAM DISTRICT.

2. KERALA STATE ELECTION COMMISSION,
THIRUVANANTHAPURAM.

BY ADV. SRI.MURALI PURUSHOTHAMAN, SC,K.S.E.COMM
R.1.V.RAJENDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 30/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

W.P.(C).No.892 OF 2007

Dated this the 30th day of May, 2007

JUDGMENT

Ext.P6 is the order impugned in this writ petition. By Ext.P6 , the second respondent commission rejected the contention of the petitioner that Ext.P1 petition is not maintainable. Petitioner challenges Ext.P6.

2. I heard the learned counsel for the petitioner and the learned counsel for the respondents.

3. I feel that it may not be proper for the petitioner to challenge Ext.P6 as it is only a ruling on maintainability and the final order is yet to be passed. I feel that reserving the right of the petitioner to challenge the said order after the passing of the final order, if he is so advised, the writ petition can be disposed of.

The writ petition is accordingly disposed of reserving the right of the petitioner to challenge Ext.P6 if by the passing of the

final order petitioner feels advised to do so. Needless to say, parties are free to produce documents and other evidence before the Commission.

K.M.JOSEPH
JUDGE

sv.